G. R. S. 58

Previous references.

1911-12

(S+A)

File No. 467-11

Serial Nos. 2+3

Later references.

S/A Cir. Nos 1615, B. Nov 1915.

Nil 109-15 & 446. B. June 1916.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2+3

Part B. for May 12

SUBJECT.

Exchange of permanent Travelling allowances.

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1. From the Comptroller to Govt P. W & Ry Branch No 2596 / 6822 dy 8.3.12.

Suggests that arts 571 & 573 M.S.R have to be suitably amended as he considers that the allowances that can be exchanged are those admissible under Arts 558 & 590. M.S.R. respectively.

GPB...8,000—7-4-07

2. P.T.O

2.

A & C. to M.S.R 4th Edition

page 205 — art 575

Substitute the words "for the allowances admissible under article 591" for the words "for any other allowance admissible under these regulations" occurring in lines 5 & 6 of this article.

(4th Edition no 2 dy 31.5.12)

G.R.S. 11]

1911-2

GENERAL AND REVENUE SECRETARIAT.

(S&A)

NOTES.

File No. 467-11

File Heading.

Exchange of Permanent Travelling allowances under arts 572 & 573 M&SR.

From Nee Comptroller to Govt P.W. Rly Branch

No. 2596/2822 Dated 8/3/12 Received 11/3/12

Diary No.	Enclos.	Spare Copies.	Serial No.
3243	—	—	2

Brief Abstract of Letter.

Suggests that arts 571 & 573 M&SR have to be suitably amended as he considers that the allowances that can be exchanged are those admissible under arts 558 & 579 M&SR respectively.

NOTES AND ORDERS.

1. Submitted for orders.

Mr 83 Dec 19 2. The Comptr has stated the case clearly & his contention has to be upheld.

30/3/12

1-4 3. A Permanent Allce can be exchanged for mileage under certain conditions under Art 572 M&SR & is contained in the C&R Rules

Notes—First Sheet.

(SPB—30,000—27-6-11

G. R. S. 12]

General and Revenue Secretariat.

SA File No. 467 of 1911

Serial No.

admissible under 1065 Q. on Art 590. The S.R. however in Art 573 uses the words "admissible under these Regulations" Where the British article has "admissible under Art 1065" and this perhaps has caused confusion. It seems therefore necessary to amend the article as suggested by the Comptr. A permanent number of allee which is itself a primary allee cannot be exchanged for a proper which was then such. A proposal can then under which a R.M.A. can be exchanged for land is "cannot be done only when the requirements of Art 572 are satisfied.

4. Art 571 is an independent article and perhaps is a concession advised & granted. There seems [illegible] to change the rule in their Case. The D.M.O. in their Case is [illegible] allee [illegible] more on account meeting have & pieces, but keep the horse as they cannot do as they are small paidmen.

[illegible]

5. I agree that in Art 573 for the 575

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

S&A File No. 467 of 1911

Serial No.

words "for any other allowances admissible under these Regulations" the words "for the allowances admissible under art 590" may be substituted.

591

6 I agree with Mr Lee Dix that art 571 M-S.R needs no change

M

7. Please put up draft M C 6/4

L Bell

8 Draft filed. W H. Lee 9 accordingly. But weuld it not suffice W substitute 'article 590 for 'these Regulations' in line '6' of article 571?

591

575

M 8/4 Bell

5/4/12

~~Rabby W comp on the other point here~~

~~this necessary~~

H. Lee 9)

Re. 15/4/12

9. Draft approved M 14/4

Dewan Thos I C.Y.

10. I agree

Hm

11 Dewan 09/4/12

Papers, draft approved

To Council

Re.

909 25-4-12 26

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat. | S&A File No. 467 of 191/

Serial No.

12

I have already agreed

7/5

13 I agree to the amendment

9/5/12

1239
12.5.12

Dewan

9/5/12

NOTE—Contra. sheet.

GPB—20,000—20-1-12

No C. 319.
7. 5. 12.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

Amendment of article 590 of the M. S. Regulations.

CIRCULATED TO COUNCILLORS.

By Order,

6th May 1912.

C. S. Balasundaramayyar
Offg. Secretary to Government.

First Councillor.

Second Councillor.

Submitted to His Highness.

I submit for approval the accompanying draft Agenda and Corrigenda making certain alteration in article 53~~7~~[73] of the Mysore Service Regulations (Third Edition) in the matter of the exchange of the permanent travelling allowance for other allowances.

2. The Comptroller's letter dated 8th March explains clearly the need for the proposed amendment, to which both the Councillors and the Financial Secretary have agreed.

12

14 May 12

320
Vol X

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Draft ~~agenda~~ Item and corrigenda making certain alterations in article 573 of the Mysore Service Regulations in the matter of the exchange of the permanent travelling allowance for other allowances.

DATE 14.5.12
271

728

Order.

Approved
~~KRW~~
16/5/12

16/5/12

5-3

Arc issued vide list no. 2 d/31.5.1912, Item Fourth Karyangalu M.S.R

Asst 4/6/12

II
Secy 11/3 Rw

MYSORE PUBLIC WORKS DEPARTMENT

190

From M.N.Krishna Rao, Esq., B.A.
~~T.S.CHAKRAVARTI, ESQ.,~~
~~M.A., F.R.A.S., etc.,~~
Offg: *Comptroller to the Govt. of*
H. H. the Maharaja of Mysore,
P. W. & Ry. Branch.

To The Secretary to Government,
Financial Department.

Dated 8th March 1912.

Despatched

Received

No. 2596/E. 822

SUBJECT.

Suggesting that article 573 may be suitably amended in the matter of exchange of permanent monthly allowance for daily allowance.

DIARY No. 3243

10/1-1912
SECTION Sty
FILE No. 467-11
SERIAL No. 2

GPB—5,000—14-11

P. W. Serial No. 114.]

It is requested that in future communications on the subject, the No. and date of this letter, and the distinguishing letters below the number as given opposite, may be quoted. All communications should be addressed as follows :—Comptroller, Mysore Public Works and Railway Branch, Bangalore.

No. 2196

MYSORE PUBLIC WORKS DEPARTMENT,
CENTRAL OFFICE OF ACCOUNTS,

Dated Bangalore, the 8th March 1902.

FROM

M.N.Krishna Rao, Esq., B.A.,
~~M. S. CHAKRAVARTI, Esq.~~

Offg: *Comptroller to the Government*
of His Highness the Maharaja of Mysore,
Public Works and Railway Branch.

To

The Secretary to the Government
of His Highness the Maharaja of Mysore,
Financial Department.

Sir,

I have the honour to state that in the matter of exchange of permanent monthly Travelling Allowance for other allowances under Article 573 Mysore Service Regulations, the existing practice has been to permit even daily allowances being drawn in lieu of permanent monthly allowances, and the authority for such practice is apparently the expression "for any other allowances admissible under these Regulations" used in the article. But the meaning of article 573 is clear if it read with article 568. The primary travelling allowance is either the daily allowance or permanent monthly travelling allowance and either of these can, under the conditions mentioned in the rules on the subject, be exchanged for road and railway mileage. This is the general principle of article 558 and the rule contained in 573 cannot be read as conflicting with this principle. But there will be contradiction between the two articles if the expression "any other allowances" is construed as including daily allowance. Again such construction is untenable for another reason. When an officer is in

558

in receipt of a permanent monthly allowance, that is the primary travelling allowance in his case and he has no daily allowance at all and so when he exchanges his permanent travelling allowance, he can only get what can be exchanged for such travelling allowance, viz., mileage, road or rail, and not daily allowance. The exchange of permanent travelling allowance for daily allowance would be the exchange of one primary travelling allowance for another, an arrangement not permitted by any rule in the Regulations. The qualification "admissible under these Regulations" leaves no room for doubt regarding the meaning of the expression "any other allowances". The corresponding rule in the Civil Service Regulations makes the point clearer still as the particular article under which the exchange is permitted is itself specified in it instead of the somewhat vague expression used in articles 573 Mysore Service Regulations.

2. In the circumstances explained above the allowances that can be taken under article 573 in exchange for permanent monthly travelling allowance are those admissible under article 590 Mysore Service Regulations. The exchange of permanent travelling allowance for daily allowance is not admissible but it has been permitted from a very long time and pending orders of Government in the matter the current practice will continue to be followed. If the view of the case represented in this letter is accepted I request that article 573 may be suitably amended.

3. A similar practice obtains in respect of the rule contained in article 571 and Police Inspectors and Jamedars are being allowed to draw daily allowance in addition to their permanent allowance. This practice also conflicts with the principle of article

558 and if this view is accepted I request article 571 may also be amended.

I have the honor to be,

Sir,

Your most obedient servant,

Offg: Comptroller,

P.W and Railway Branch.

8.3.12.

G.R.S. 26]

File No. 467-1

Serial 3

Diary No. of letter replied to 3243

General and Revenue Secretariat

(SFA)

, *the* 19 .

ssue

Signed by

Draft

to A & C 4th edn MSR

Page 205 (197) art 575 (573)

Substitute the words "for the allowances admissible under article 591 (590)" for the words "for any other allowances admissible under these Regulations" occurring in lines 5 & 6 of this article.

(4th Edition no. 2 dt 31.5.12)

AL 15/4/12

for Finl Secy.

over.

SUBJECT.